

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
D E P A R T M E N T O F H E A L T H



Safe and Healthy Lives in Safe and Healthy Communities

STATE OF RHODE ISLAND
DEPARTMENT OF HEALTH
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

IN THE MATTER OF THE APPLICATION
FOR MEDICAL LICENSURE OF RICHARD NEIL DIAMOND, M.D.

STIPULATION

1. The Respondent, Richard Neil Diamond, M.D., applied for medical licensure in the State of Rhode Island on June 3, 1996.

The Respondent revealed in his answers to questions posed on the application that his license to practice medicine in the State of New York had been revoked and that he had been convicted of a felony. Specifically, the Respondent's license to practice was Revoked in New York in 1985 following a conviction for Mail Fraud and Medicare Fraud. Subsequently, the Respondent was convicted of Unauthorized Practice of Medicine and Forgery.

2. A credentials verification check done by the Licensing Committee of the Board in its official capacity revealed that the revocation of license and felony convictions were as stated on the application for Rhode Island licensure.

3. R.I. Gen. Laws §5-37-4, 1956, as amended, (1995 reenactment) authorizes the Director of Health, at the direction of the Board, to refuse to grant the original license of an applicant who has been found guilty in another state of conduct, which if committed in Rhode Island, would constitute unprofessional conduct as defined in § 5-37-5.1 and regulations adopted thereunder.

4. The Respondent, Richard Neil Diamond, M.D., is represented by John Roney, Esquire, of Roney and Labinger. The Respondent has consulted with his attorney and agrees that the acts committed in New York, if committed in Rhode Island, would constitute "unprofessional conduct" as provided by law. The Respondent hereby acknowledges and waives:

- a. The right to appear personally or by counsel or both before the Board;
- b. The right to produce witnesses and evidence in his behalf at a hearing;
- c. The right to cross examine witnesses;
- d. The right to have subpoenas issued by the Board;
- e. The right to further procedural steps except for those specifically contained herein; *****
- f. Any and all rights of appeal of this Stipulation;
- g. Any objection to the fact that this Stipulation will be presented to the Board for consideration and review;
- h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Stipulation;
- i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Stipulation.

5. The Respondent understands that the Board of Medical Licensure and Discipline has recommended to the Director of Health that the application for licensure of Richard Neil Diamond, M.D. be Denied. The basis for the denial is set forth in paragraph (1) one of this Stipulation.

6. The Respondent agrees that his rights to appeal this denial of licensure are waived and this denial shall become effective on the date of Ratification below.

7. The Denial of Licensure shall be without prejudice to the right of the applicant to reapply in the event of his relicensure in the State of New York or any other jurisdiction. Nothing herein shall require the Board to act favorably on any such application.

Signed on this day of February 1997.

Richard Diamond, M.D.
Richard Neil Diamond, M.D.

Ratified by the Board of Medical Licensure and Discipline on this 12th day of February 1997.

Patricia A. Nolan, MD, MPH
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Director of Health